IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.14132 of 2006

Dated: July 13, 2006

Between:

P. Nagi Reddy, S/o. Radha Reddy, aged about 36 years, working as Assistant Fitter in TTD, Tirupati, residing at Rangampet village, Chandragiri Mandal, Chittoor District.

... Petitioner

And

The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati, Chittoor District.

... Respondent

Order:

This writ petition has been filed seeking Mandamus to declare the action of the respondent in suspending the petitioner from service by order dated 29-05-2006 as arbitrary and illegal and a consequential direction to the respondent is sought to reinstate the petitioner into service with all benefits.

2. Heard the learned counsel for the petitioner and the learned

Standing Counsel appearing on behalf of the respondent.

3. The petitioner, who was initially appointed as casual labour in the year 1985, and promoted as Assistant Fitter on 16-09-2002, was suspended from service, by the impugned order, stating that he was involved in a forest offence on 07-05-2006. In the impugned order, it is stated that the petitioner involved in smuggling of Red Sanders, arrested by the Forest Department on 07-05-2006 and released on bail on
11-05-2006. The order of suspension was passed under the provisions of sub-rule (2) (a) of Rule-8 of Andhra Pradesh Civil Services (CCA) Rules 1991.

4. The case of the petitioner is that he is not involved in the smuggling as alleged. It is stated though order of suspension has been passed on 29-05-2006; so far no proceedings have been initiated.

5. Whether the petitioner was involved in smuggling or not is a matter for enquiry by the competent authority. There are no grounds to declare the impugned order, suspending the petitioner from service, as illegal at this stage. However, as the petitioner was suspended on
29-05-2006, and no enquiry has been initiated yet, I dispose of the writ petition directing the respondent to complete the enquiry within a period of three months from today. If the enquiry is not completed within the time stipulated above, the respondents shall consider to review the order of suspension, so as to reinstate the petitioner.

6. The writ petition is disposed of with the above directions. No order as to costs.

JUSTICE R. SUBHASH REDDY.

July 13, 2006
MRR